

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.4)  
Eastern Division**

Sana Mujahid

Plaintiff,

v.

Case No.: 1:25-cv-08012

Honorable Jorge L. Alonso

Newity, LLC

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Wednesday, November 19, 2025:

MINUTE entry before the Honorable Jorge L. Alonso: Plaintiff alleges that Newity violated the TCPA by sending marketing text messages to Plaintiff's cell phone. [20]. Newity moved to dismiss on the basis that 47 U.S.C. § 227(c)(5) of the TCPA does not cover text messages. [22]. The Court denied Defendant's motion, finding that the TCPA does cover text messages. [32]. Defendant now moves to stay [33] on the basis that the exact issue in this case whether § 227(c)(5) covers text messages is currently on appeal before the Seventh Circuit in Steidinger, et al. v. Blackstone Medical Services, No. 25-2398. This appeal, however, was already pending when Defendant first moved to dismiss, and the Court is concerned that Defendant waited until now to mention the appeal. As Plaintiff articulated in the joint status report at [36]: "This timing underscores the nature of Newity's request: a 'heads we win, tails you lose' litigation strategy. When Newity believed it might prevail on its motion to dismiss, it pushed forward. After the Court rejected its argument, Newity pivoted and now urges the Court to halt all progress until a separate tribunal might reach a different result. Courts disfavor stay requests made only after an adverse ruling, because they encourage gamesmanship and undermine orderly case management." Because the Seventh Circuit will be ruling on the exact issue in this case, however, the Court is inclined to grant a stay. But Newity should have made this request either in tandem with its motion to dismiss or in a status report beforehand. Newity's motion to stay is entered and continued. By 11/25/25, the parties shall file a joint status report setting forth their positions as to whether Plaintiff is entitled to sanctions such as reasonable costs and fees related to the motion to dismiss when Newity should have made the Court aware earlier of the pending appeal. Notice mailed by Judge's staff (lf, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please

refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at ***[www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov)***.